

REMARKS

By the present amendment, Applicants have amended claims 1-3, 5, 7-10, 12-14, 22, 25, and 29-35. Support for these amendments may be found in the original claims and page 9, lines 4-5 of the specification, for example. No new matter has been added. Upon entry of these amendments, claims 1-35 will remain pending in this application.

In the Office Action¹, the Examiner objected to the specification; objected to claims 1-35; rejected claims 3, 4, 7, 10, 12, 13, 32, 33, and 35 under 35 U.S.C. §112, second paragraph; rejected claims 1-13 under 35 U.S.C. §101; rejected claims 1, 2, 6, 8, 9, 14-17, 19-22, 25, 26, and 29 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,014,135 to Fernandes (*"Fernandes"*); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* in view of U.S. Patent Application Pub. No. 2003/0158897 to Ben-Natan et al. (*"Ben-Natan"*); rejected claims 4, 5, 7, 13, 18, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* in view of U.S. Patent No. 6,020,884 to MacNaughton et al. (*"MacNaughton"*); and rejected claims 10-12, 24, 27, 28, and 30-35 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* in view of U.S. Patent No. 6,029,161 to Lang et al. (*"Lang"*).

Objection to the specification

Regarding the objection to the specification, the Examiner states, "the word 'windo' is a typographical error and should be replaced with --window--." See Office Action at page 2. Applicant has amended the specification to correct the typographical

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

error. Therefore, Applicant respectfully requests that the Examiner withdraw the objection to the specification.

Objection to claims 1-35

Regarding the objection to claims 1-35, Applicant has amended the claims to provide antecedent basis as requested by the Examiner. Therefore, Applicant respectfully requests that the Examiner withdraw the objection to claims 1-35.

Rejection of Claims 3, 4, 7, 10, 12, 13, 32, 33, and 35 under 35 U.S.C. §112, second paragraph

Regarding the rejection of claims 3, 7, 10, 12, 13, 32, 33, and 35 under 35 U.S.C. §112, second paragraph, Applicant has amended claims 3, 7, 10, 12, 13, 33, and 35 to provide antecedent basis as requested by the Examiner. Regarding the rejection of claim 4 under 35 U.S.C. §112, second paragraph, the Examiner states that "it is unclear as to what the applicant is referring to by 'at least one generic channel type'." See Office Action at page 5. Applicant respectfully disagrees.

The specification states "[t]he collaborative conversation channels may be constructed in accordance with one or more generic channel types, such as an operational channel, a strategic channel, or an educational channel. The set of message types may include predefined message templates." See specification² at page 3, lines 4-6. Applicant submits that at least this passage of the specification provides description for the claimed "at least one generic channel type." Therefore, Applicant respectfully requests that the Examiner withdraw the rejection.

² In making reference to the specification, it is to be understood that Applicant is in no way intending to limit the scope of the claims to the exemplary embodiments described in the specification. Rather, Applicant expressly affirms that it is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Rejection of Claims 1-13 under 35 U.S.C. § 101

Regarding the rejection of claims 1-13 under 35 U.S.C. § 101, the Examiner states that “[i]n order for a method claim to be statutory, it must result in a useful, concrete, and tangible result. In this instance, there is no result of the method claimed, as receiving and sending has no real world output.” (See Office Action at page 7.) Applicant respectfully disagrees.

Claim 1 recites a method including, for example, “sending the message having the selected message type through the selected one of the collaborative conversation channel.” The result of the method is “sending the message.” The sending of a message is a useful, concrete, and tangible result. Claims 2-13 depend from claim 1 and result in a useful, concrete, and tangible result at least due to their dependence. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-13 under 35 U.S.C. § 101.

Rejection of Claims 1, 2, 6, 8, 9, 14-17, 19-22, 25, 26, and 29 under 35 U.S.C. §102(b) as being anticipated by *Fernandes*

Applicant respectfully traverses the rejection of claims 1, 2, 6, 8, 9, 14-17, 19-22, 25, 26, and 29 under 35 U.S.C. § 102(b) as anticipated by *Fernandes*. In order to properly establish that *Fernandes* anticipates Applicant’s claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claims 1 recites a method including, for example:

providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities

Fernandes fails to teach at least these elements.

Fernandes appears to relate to “a method of interfacing a user with a computer on a display [that] has the computer generating and displaying icons representing people, time, and information.” See col. 8, lines 30-33. The Examiner states that col. 14, lines 57-59 of *Fernandes* discloses the claimed “communities,” and col. 11, lines 11-27 discloses the claimed “associated set of message types.” See Office Action and pages 8-9.

Col. 14, lines 57-59 of *Fernandes* states, “the community of people on the Network who’s ‘self agents’ match a set of criteria that the user specifies.” Col. 11, lines 11-27 of *Fernandes* appears to relate to the ability of a user to specify and define media that an individual would receive. For example, one individual might want all communication sent via facsimile format. Conversely, another individual might want all communication sent via text or html format. The Examiner appears to assert that the community of people in *Fernandes* constitutes the claimed “communities,” and the message formats, such as facsimile, text, and html of *Fernandes* constitute the claimed “message types.”

Even assuming that the message formats in *Fernandes* constitute a type of message, which Applicant does not concede, these message formats are not “based on a topic of the specific one of the defined communities,” as recited in claim 1. There is

no topic associated with the community of people in *Fernandes*. Moreover, the message formats of *Fernandes* correspond to the preference of an individual, but an individual preference is not a “topic of the specific one of the defined communities.” Therefore, *Fernandes* does not teach or suggest the claimed “providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities,” as recited in claim 1.

For at least the above reasons, *Fernandes* does not anticipate independent claim 1. Claims 2, 6, 8, and 9 depend from claim 1 and are, thus, also allowable over *Fernandes* for at least the same reasons indicated above for claim 1. Independent claims 14, 25, and 29, while of a different scope, recite elements similar to those of claim 1 and are, thus, also allowable over *Fernandes* for reasons similar to that discussed above for claim 1. Claims 15-17, 19-22, and 26 are also allowable at least due to their dependence from independent claim 14 or 25. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b) is therefore respectfully requested and deemed appropriate.

Rejection of Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* in view of *Ben-Natan*

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claim 3 because a *prima facie* case of obviousness has not been established with respect to claim 3.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference

teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). M.P.E.P. § 2142, 8th Ed., Rev. 2 (May 2004), p. 2100-128.

A *prima facie* case of obviousness has not been established because, among other things, *Fernandes* and *Ben-Natan*, taken alone or in any proper combination, fail to teach or suggest each and every element of Applicant's claim.

Claim 3 depends from claim 1 and, thus, requires each and every element of claim 1. As set forth above, *Fernandes* fails to teach each and every element of claim 1. Moreover, *Ben-Natan* fails to cure the deficiencies of *Fernandes*.

The Examiner relies on *Ben-Natan* for allegedly disclosing "several ways to associate people in a community and an example of a group with a common grouping." See Office Action at page 14. Even assuming this allegation is correct, which Applicant does not concede, *Ben-Natan* does not teach or suggest "providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities," as recited by independent claim 1, and, thus, required by dependent claim 3.

Because neither *Fernandes* nor *Ben-Natan*, taken alone or in combination, teaches or suggests each and every element recited by independent claim 1 and required by dependent claim 3, no *prima facie* case of obviousness has been established with respect to claim 3. Accordingly, Applicant respectfully requests that the

Examiner withdraw the rejection of claim 3 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* and *Ben-Natan*.

Rejection of Claims 4, 5, 7, 13, 18, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* in view of *MacNaughton*

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 4, 5, 7, 13, 18, and 23 because a *prima facie* case of obviousness has not been established with respect to these claims.

Claims 4, 5, 7, 13, 18, and 23 depend from claims 1 and 14 and, thus, require each and every element of claims 1 and 14. As set forth above, *Fernandes* fails to teach each and every element of claims 1 and 14. Moreover, *MacNaughton* fails to cure the deficiencies of *Fernandes*.

The Examiner relies on *MacNaughton* for allegedly disclosing “a collaborative conversation where the user can view multiple different topics or threads.” See Office Action at page 15. Even assuming this allegation is correct, which Applicant does not concede, *MacNaughton* does not teach or suggest “providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities,” as recited by independent claim 1 and similarly recited in independent claim 14, and thus required by dependent claims 4, 5, 7, 13, 18, and 23.

Because neither *Fernandes* nor *MacNaughton*, taken alone or in combination, teaches or suggests each and every element recited by independent claims 1 and 14 and required by dependent claims 4, 5, 7, 13, 18, and 23, no *prima facie* case of

obviousness has been established with respect to claims 4, 5, 7, 13, 18, and 23.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 4, 5, 7, 13, 18, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* and *MacNaughton*.

Rejection of Claims 10-12, 24, 27, 28, and 30-35 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* in view of *Lang*

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 10-12, 24, 27, 28, and 30-35 because a *prima facie* case of obviousness has not been established with respect to these claims.

Claims 10-12, 24, 27, 28, and 30-35 depend from claims 1, 14, 25, and 29 and, thus, require each and every element of claims 1, 14, 25, and 29. As set forth above, *Fernandes* fails to teach each and every element of claims 1, 14, 25, and 29. Moreover, *Lang* fails to cure the deficiencies of *Fernandes*.

The Examiner relies on *Lang* for allegedly disclosing “a complex filtering scheme for large-scale information that includes community and content filtering techniques.” See Office Action at page 18. Even assuming this assertion is correct, which Applicant does not concede, *Lang* does not teach or suggest “providing access to one of the collaborative conversation channels through a user interface, with each one of the collaborative conversation channels having an associated set of message types that is based on a topic of the specific one of the defined communities,” as recited by independent claim 1 and similarly recited in independent claims 14, 25, and 29, and thus required by dependent claims 10-12, 24, 27, 28, and 30-35.

Because neither *Fernandes* nor *Lang*, taken alone or in combination, teaches or suggests each and every element recited by independent claims 1 and 14 and required by dependent claims 10-12, 24, 27, 28, and 30-35, no *prima facie* case of obviousness has been established with respect to claims 10-12, 24, 27, 28, and 30-35. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 10-12, 24, 27, 28, and 30-35 under 35 U.S.C. § 103(a) as being unpatentable over *Fernandes* and *Lang*.

CONCLUSION

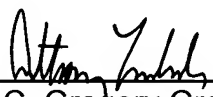
In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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